



**SADC ELECTORAL OBSERVATION MISSION (SEOM) TO
THE KINGDOM OF LESOTHO**

STATEMENT

BY

HONOURABLE MAITE NKOANA-MASHABANE (MP)

MINISTER OF

INTERNATIONAL RELATIONS AND COOPERATION

OF THE REPUBLIC OF SOUTH AFRICA

AND HEAD OF THE SEOM

TO THE 2015 NATIONAL ASSEMBLY ELECTIONS

IN THE

KINGDOM OF LESOTHO

Honourable Mahapela Lehohla, Chairperson of the Independent Electoral Commission of Lesotho and IEC Commissioners here present;

Right Honourable Raila Odinga, former Prime Minister of the Republic of Kenya and Head of the African Union (AU) Election Observation Mission to the Kingdom of Lesotho;

Your Excellency Festus Mogae, former President of the Republic of Botswana and Head of the Commonwealth Election Observation Mission to the Kingdom of Lesotho;

Honourable Ellen Molekane, Deputy Minister of State Security of the Republic of South Africa, and Deputy Head of the SEOM;

Ambassador Theresia Samaria, the Organ Troika Member representing Namibia;

Director of the Organ, Mr. Jorge Cardoso, representing Dr. Stergomena Lawrence Tax, Executive Secretary of the Southern African Development Community (SADC);

Distinguished Members of the SADC Electoral Advisory Council (SEAC), Professor Mpho Molomo and Advocate Gertrude Imbwae;

The Head of the SADC Observer Mission in Lesotho (SOMILES), Mr. Fannie Phakola;

The Deputy Head of the SOMILES, Ambassador Veiccoh K. Nghiwete;

Representatives of the Government of the Kingdom of Lesotho;

Leaders and Representatives of the Political Parties;

Fellow Heads of International Electoral Observation Missions;

Members of the Diplomatic Corps;

Religious Leaders;

Members of the Media;

Members of Civil Society Organisations;

Distinguished Ladies and Gentlemen,
Bomme le Bontate;

It is my honour and privilege to welcome you to this occasion where we present the preliminary findings of the Southern African Development Community (SADC) Electoral Observation Mission (SEOM) to the 2015 National Assembly Elections in the Kingdom of Lesotho, which took place on Saturday, 28 February 2015. We also take this opportunity to thank you for gracing us with your presence.

**Your Excellencies,
Ladies and Gentlemen,**

As you are aware, the National Assembly Elections were scheduled to take place in 2017, in accordance with the 5-year provision stipulated in Section 83 of the Constitution of the Kingdom of Lesotho. However, due to challenges within the Coalition Government, which led to the deterioration of the political and security situation in the country, SADC facilitated a process of finding political and security stability which culminated in political parties agreeing to hold new National Assembly Elections in February 2015.

In accordance with Section 37 (1) of the National Assembly Electoral Act, 2011 and the Constitution of the Kingdom of Lesotho, His Majesty King Letsie III proclaimed, 28 February 2015, as the day on which the National Assembly Elections were to be held.

Electoral observation within our region has been the practice of SADC Member States over the years. This practice has enabled us to deepen democracy in our region through the participation of citizens in political and decision-making processes. The SEOM has the mandate to ensure adherence to the *SADC Principles and Guidelines Governing Democratic Elections*, thus enhancing transparency and credibility of the electoral process.

In pursuit of these objectives, SADC has sent Electoral Observation Missions to no less than seven Member States during the last ten months. The SEOM is in the Kingdom of Lesotho to observe the National Assembly Elections at the invitation of the Government of the Kingdom of Lesotho which was extended on 15 December 2014.

Following that invitation, His Excellency Jacob Gedleyihlekisa Zuma, President of the Republic of South Africa, and Chairperson of the SADC Organ on Politics, Defence and Security Cooperation, constituted the Electoral Observation Mission and appointed me, in my capacity as Minister of International Relations and Cooperation of the Republic of South Africa, to head the Mission. Dr. Stergomena Lawrence Tax, the SADC Executive Secretary, was mandated to facilitate the deployment of the Mission.

**Your Excellencies,
Ladies and Gentlemen,**

The SEOM deployment was preceded by the Goodwill and Pre-deployment Assessment Mission undertaken by the SADC Electoral Advisory Council (SEAC) from 1 to 6 February 2015. The aim of the Assessment Mission was to assess the level of preparedness of the country to hold the 2015 National Assembly Elections. The SEAC Mission concluded that the political atmosphere and security environment were generally conducive for holding peaceful elections subject to careful monitoring of the politicised aspects of the security agencies.

The SEOM was officially launched on Wednesday, 18 February 2015, after which 82 observers from eleven SADC Member States were deployed throughout the ten districts of the Kingdom of Lesotho.

Prior to the launch of our Mission, the SEOM paid Courtesy Calls on His Majesty King Letsie III, the Rt. Hon. The Prime Minister Dr. Thomas Motsoahae Thabane, the Minister of Foreign Affairs and International Relations, Hon. Kenneth Tsekoa, and the Chairperson of the IEC, Hon. Mahapela Lehohla.

The SEOM engaged various stakeholders to gather information on the electoral process in Lesotho. These engagements also provided a platform from which the Mission learnt about the views and concerns of various stakeholders. The stakeholders met included:

1. The Head of the AU Election Observer Mission;
2. The Head of the Commonwealth Election Observer Mission;
3. The UN Resident Coordinator and UNDP Country Representative;
4. The Dean of the Diplomatic Corps;
5. The EU Head of Mission in Lesotho;
6. Representatives of contesting Political Parties;
7. The Acting Commissioner of the Lesotho Mounted Police Services;
8. The Christian Council of Lesotho; and
9. Inter-Regional Meeting of Bishops of Southern Africa (IMBISA).

During the engagements with the stakeholders, various issues were raised and the Mission sought clarification about them from the relevant authorities. These concerns included, amongst others:

1. Biased and partisan media;

2. Utilisation of Government resources by ruling Coalition Parties;
3. Isolated incidents of violence, intimidation and political intolerance;
4. Politicisation of state institutions;
5. Perceived non acceptance of election results;
6. Lack of enforcement of the Electoral Code of Conduct;
7. Politicisation of security establishments;
8. Absence of constitutional framework establishing a coalition government and its functioning;
9. Consequences of Floor-crossing.

**Your Excellencies,
Ladies and Gentlemen,**

The SEOM observed that the pre-election phase was characterised by a generally calm and peaceful political atmosphere. Political rallies were peaceful and there were no violent incidents observed.

The SEOM observed that the Advance Voting that took place on Saturday, 21 February 2015 proceeded smoothly without any significant challenges.

The SEOM further noted that consistent with Section 60 (1) of the Electoral Act campaigning ended 24 hours before the Election Day and that no reported campaigning took place on the Election Day.

**Your Excellencies,
Ladies and Gentlemen,**

On the Election Day, the SADC Electoral Observation Mission observed the following:

- **In general, polling stations opened on time at 07:00am, and the opening procedures were followed in accordance with the provisions of the Electoral Act;**

- Party agents, other observers, election monitors, LMPS as well as SOMILES police officers were present during the opening of polling stations;
- The layout of most polling stations promoted easy flow in the voting process, until the prescribed closing time;
- All the electors were able to vote upon producing their voters cards or identification documents; except a few isolated cases where voters were not allowed to vote because their names were not on the voters'roll.
- Most polling stations closed at 17h00 as provided for in the Electoral Act. Electors who were still in queues at the formal closing of the polling stations were allowed to cast their votes;
- There were no incidents of violence reported by SEOM Observers during the Election Day. The presence of LMPS and SOMILES police officers contributed to the peaceful atmosphere during the election day;
- Counting at most polling stations started immediately after closing. The prescribed counting procedures were adhered to by the voting station officers;
- Station managers announced the results immediately after counting, as provided for in the Electoral law.

**Excellencies,
Ladies and Gentlemen,**

During the observation exercise, the SEOM noted some best practices in the electoral process of the Kingdom of Lesotho. These included:

- a) Freedom of association, expression and opinion during the electoral campaigns;
- b) The holding of public political party debates between candidates facilitated by radio and television stations;
- c) Voter education via short messaging services (sms);
- d) A twenty-four (24) hour Elections Call Centre and toll-free number;

- e) Continuous voter registration and updating of the voters' roll;
- f) Compulsory registration of electors; and
- g) Electronic transmission of election results.

In order to further improve the quality of the electoral process in the Kingdom of Lesotho, the SEOM makes the following recommendations for the consideration of the Government of the Kingdom of Lesotho and other relevant stakeholders:

- Review of the Constitution, Legislative and Institutional reforms in particular Security Sector Reform assisted by SADC;
- Review of the laws relating to parliamentary floor-crossing;
- Review of policy and legal framework for coalition government; and
- Professionalisation of the media.

In the course of observing the elections, the SEOM noted that there was general adherence to the relevant national legal instruments as well as the *SADC Principles and Guidelines Governing Democratic Elections*.

Based on its observations, the SADC Electoral Observation Mission concludes that the 2015 National Assembly Elections in the Kingdom of Lesotho were peaceful, transparent, credible, free and fair, thus reflecting the will of the people of the Kingdom of Lesotho.

In this regard, SEOM urges all political parties and candidates to accept the outcome of the election and encourages any political party or candidate that may wish to challenge the election results to do so in accordance with the laws of the country.

**Your Excellencies,
Ladies and Gentlemen,**

The SEOM congratulates the Independent Electoral Commission of the Kingdom of Lesotho which was able to professionally organise, conduct and deliver credible elections at short notice.

On behalf of the Chairperson of the SADC Organ on Politics, Defence and Security Cooperation, His Excellency Jacob Gedleyihlekisa Zuma, President of the Republic of South Africa, the SEOM commends and salutes the people of the Kingdom of Lesotho for the exemplary manner in which they conducted themselves during this electoral process. In a dignified way, voters stood in long queues waiting for their turn to cast their vote, thus exercising their constitutional right to elect a party/candidate of their choice.

The SEOM takes this opportunity to assure the people of Lesotho of SADC's commitment to walk with them in search of a lasting and sustainable peace.

Finally, on behalf of myself and all SADC observers, I would like to express our collective and sincere gratitude to Basotho for their warm welcome and cooperation during the work of our Mission.

Khotso, pula, nala!

Re a leboha.

Lesotho Sun Hotel,

Maseru, 02 March 2015

Kingdom of Lesotho